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10/826,499	04/16/2004	Donald Kaplan	64743-5001	1344

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EXAMINER

OUELLETTE, JONATHAN P

ART UNIT PAPER NUMBER

3629

DATE MAILED: 10/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/826,499

Applicant(s)

KAPLAN, DONALD

Examiner

Jonathan Ouellette

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-108 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-108 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 20040416.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, 8, 9, 38, 46 and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by DeLorme (US 5,948,040).**
3. As per **independent Claims 1 and 38**, DeLorme discloses a method for providing travel services to a person traveling to a geographic location, comprising: a. providing a database of travel information (TRIPS system), said travel information pertaining to one or more geographic locations, wherein said travel information can be selectively retrieved from said database based on the geographic location to which it pertains; b. providing counseling services, wherein said providing counseling services comprises receiving information regarding said traveler's circumstances (direction of travel) and geographic location, selecting information from said database based on said traveler's circumstances and geographic location, and providing said information to said traveler (Abstract, C32-C34, C71-C75).
4. As per Claims 8 and 46, DeLorme discloses providing a phone number, wherein said traveler access said counseling services by calling said phone number (C15 L14-32).

5. As per Claims 9 and 47, DeLorme discloses providing an internet web site, wherein said web site is configured to receive information concerning said traveler's circumstances and geographic location, and wherein said web site is operatively coupled to said database of travel information and configured to display said travel information (C10).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
7. **Claims 2-7, 11-13, 15-26, 29-37, 39-44, 45, 49-51, 53-83, 84-90, 93-101, and 104-106**  
**are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLorme.**
8. As per Claims 2-6 and 39-43, DeLorme fails to expressly disclose providing information regarding all the service providers disclosed in the instant application; however, DeLorme does disclose providing service provider information to a multitude of service provider types (Abstract, Fig. 1C), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a large variety of service providers with the system in order to increase the systems effectiveness at offering relevant customer information.
9. As per Claims 7 and 45, DeLorme discloses wherein said identification information comprises name, phone number, and address information.

10. As per Claims 11 and 49, DeLorme fails to expressly disclose providing said traveler with a mobile phone including a button configured to transmit the geographic location of said traveler upon depression of said button.
11. However, Delorme does disclose the use of a mobile communication device (phone) with an emergency “push button,” and the ability for the Trips system to determine the devices location through GPS (C71-C75), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the user with a phone that would work with the Trips system, in order to increase system customer service and ensure compatibility between the mobile device and the Trips system.
12. As per Claims 12 and 50, DeLorme discloses wherein in response to a depression of said button of said mobile phone, a rescue services provider is dispatched to said geographic location of said traveler (rescue button, C71-C75), whereupon said traveler is transported by said rescue service provider from said geographic location to a location of greater safety (obvious role of rescue service/ambulance to provide transport to rescue facility).
13. As per Claims 13 and 51, DeLorme fails to expressly disclose providing said traveler with a password, wherein prior to said transporting of said traveler by said rescue service provider, said traveler provides said password to said rescue service provider.
14. However, Delorme does disclose an emergency response component to the Trips system (C71-C75), and the ability to make reservations for service provides - confirming reservation with a reservation confirmation code (C21).
15. Therefore, it would have been obvious to incorporate the reservation system when scheduling a emergency response call; however, such a system would be unrealistic, as a

emergency response team would lawfully be required to assist in an emergency once on-site, whether the person in need had a password or not.

16. As per Claims 15, 44 and 53, DeLorme discloses providing a computer network to which said database is operatively coupled.
17. As per Claims 16 and 54, DeLorme discloses wherein said database is operatively coupled to a computer terminal adapted to display said travel information from said database.
18. As per Claims 17 and 55, DeLorme discloses wherein said website is configured to provide said traveler with access to said database of travel information.
19. As per Claims 18 and 56, DeLorme fails to expressly disclose a voice mail system adapted to record and store messages provided by said traveler and further adapted to play back said messages, said voice mail system being accessible by calling a voice mail system telephone number.
20. However, official notice is given that such voice mail system were well known at the time the invention was made, and would simply be a matter of the user leaving a message at their personal phone number/voice mail, which they could check at their leisure.
21. As per Claims 19 and 57, DeLorme discloses wherein in response to a request from said traveler, a rescue services provider is dispatched to said geographic location of said traveler (rescue button, C71-C75), whereupon said traveler is transported from said geographic location to a location of greater safety (obvious role of rescue service/ambulance to provide transport to rescue facility).

22. As per **independent Claims 20, 84, and 104**, DeLorme discloses a method for providing travel services to a person traveling to a geographic location, comprising: a. a mobile phone, said mobile phone including a button configured to transmit the geographic location of said traveler upon depression of said button; b. wherein in response to a depression of said button of said mobile phone, a rescue service provider is dispatched to said geographic location of said traveler (rescue button, C71-C75), whereupon said traveler is transported by said rescue service provider from said geographic location to a location of greater safety (obvious role of rescue service/ambulance to provide transport to rescue facility).
23. Delorme fails to expressly disclose providing said traveler with a mobile phone.
24. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the user with a phone that would work with the Trips system, in order to increase system customer service and ensure compatibility between the mobile device and the Trips system.
25. As per Claims 21 and 85, DeLorme discloses providing a database of travel information, said travel information pertaining to one or more geographic locations, wherein said travel information can be selectively retrieved from said database based on the geographic location to which it pertains.
26. As per Claims 22, 29-32, 86, and 93-96, DeLorme fails to expressly disclose providing information regarding all the service providers disclosed in the instant application; however, Delorme does disclose providing service provider information to a multitude of service provider types (Abstract, Fig. 1C), and it would have been obvious to one of

ordinary skill in the art at the time the invention was made to incorporate a large variety of service providers with the system in order to increase the systems effectiveness at offering relevant customer information.

27. As per Claims 23 and 87, DeLorme discloses providing counseling services, wherein said providing counseling services comprises receiving information regarding said traveler's circumstances and geographic location (travel POI EOI information), selecting information from said database based on said traveler's circumstances and geographic location and providing said selected information to said traveler (C32-C34).
28. As per Claims 24 and 88, DeLorme discloses providing a phone number, wherein said traveler accesses said counseling services by calling said phone number (C15 L14-32).
29. As per Claims 25 and 89, DeLorme discloses providing an internet web site, wherein said web site is configured to receive information concerning said traveler's circumstances and geographic location, and wherein said web site is operatively coupled to said database of travel information and configured to display said travel information (C10, C75).
30. As per Claims 26 and 90, DeLorme discloses providing said traveler with a password, wherein prior to said transporting of said traveler by said rescue provider, said traveler provides said password to said rescue service provider (Reservation confirmation number).
31. As per Claims 33 and 97, DeLorme discloses wherein said database is operatively coupled to a computer network.



32. As per Claims 34 and 98, DeLorme discloses wherein said identification information comprises name, phone number, and address information.
33. As per Claims 35 and 99, DeLorme discloses wherein said database is operatively coupled to a computer terminal adapted to display said travel information from said database.
34. As per Claims 36 and 100, DeLorme discloses wherein said website is configured to provide said traveler with access to said database of travel information.
35. As per Claims 37 and 101, DeLorme fails to expressly disclose a voice mail system adapted to record and store message provided by said traveler and further adapted to play back said messages, said voice mail system being accessible by calling a voice mail system telephone number.
36. However, official notice is given that such voice mail system were well known at the time the invention was made, and would simply be a matter of the user leaving a message at their personal phone number/voice mail, which they could check at their leisure.
37. As per Claims 105 and 106, DeLorme discloses wherein said mobile communication device is a personal computer or a satellite phone.
38. As per **independent Claims 58 and 74**, DeLorme discloses a method for providing travel services using a computer network, comprising: a. providing a computer network; b. providing a database of travel information operatively coupled to said computer network, said database including identification information for one or more service providers; and c. providing said traveler with a means for selectively accessing information pertaining to

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said traveler's circumstances and geographic location from said database (Abstract, C32-C34, C71-C75).

39. Delorme fails to expressly disclose providing weather information, traffic information, road construction information, terrorism information, legal information, and suggested vaccinations.
40. However, Delorme does disclose providing a multitude of travel information (Abstract, Fig. 1C), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a large variety of travel information with the system in order to increase the systems effectiveness at offering relevant customer information.
41. As per Claims 59-62 and 75-78, DeLorme fails to expressly disclose providing information regarding all the service providers disclosed in the instant application; however, Delorme does disclose providing service provider information to a multitude of service provider types (Abstract, Fig. 1C), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a large variety of service providers with the system in order to increase the systems effectiveness at offering relevant customer information.
42. As per Claims 63 and 79, DeLorme discloses wherein said identification information comprises name, phone number, and address information.
43. As per Claims 64 and 80, DeLorme discloses wherein said means for selectively accessing information comprises a computer terminal operatively coupled to said database.

44. As per Claims 65 and 81, DeLorme discloses wherein said means for selectively accessing information comprises an Internet website operatively coupled to said database.
45. As per Claims 66 and 82, DeLorme discloses wherein said means for selectively accessing information comprises a system of providing counseling services, wherein said providing counseling services comprises receiving information regarding said traveler's circumstances and geographic location, selecting information from said database based on said traveler's circumstances and geographic location and providing said selected information to said traveler.
46. As per Claims 67 and 83, DeLorme discloses providing a telephone number, wherein said traveler accesses said counseling services by calling said telephone number.
47. As per **independent Claim 68**, DeLorme discloses a method for providing travel services to a person traveling to a geographic location, comprising: a. providing a telephone number; b. providing counseling services, wherein said providing counseling services comprises receiving information regarding said traveler's circumstances and geographic location, and providing information adapted to said traveler's circumstances and said traveler's geographic location (Traveling direction, POI, EOI), wherein said provided information concerns at least one selected from the group consisting of service provider identification information for one or more service providers, and wherein said traveler accesses said counseling services by calling said telephone number (Abstract, C15 L14-32, C32-C34, C71-C75).
48. Delorme fails to expressly disclose providing service/information comprising: weather information, traffic information, legal information, and suggested vaccinations.

49. However, Delorme does disclose providing a multitude of travel information (Abstract, Fig. 1C), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a large variety of travel information with the system in order to increase the systems effectiveness at offering relevant customer information.
50. As per Claims 69-72, DeLorme fails to expressly disclose providing information regarding all the service providers disclosed in the instant application; however, Delorme does disclose providing service provider information to a multitude of service provider types (Abstract, Fig. 1C), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a large variety of service providers with the system in order to increase the systems effectiveness at offering relevant customer information.
51. As per Claim 73, DeLorme discloses wherein said identification information comprises name, phone number, and address information.
52. **Claims 10, 14, 27, 28, 48, 52, 91, 92, 102, 103, 107, 108 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLorme in view of Marcon (US 2001/0052142 A1).**
53. As per **independent Claims 102 and 103**, DeLorme discloses a method of providing travel services to a person traveling to a geographic location, comprising: a. associating with one or more service providers, said services comprising transportation services, banking services, lodging services, and medical services; c. providing said traveler with a password; e. a mobile phone including a button configured to transmit the geographic location of said traveler upon depression of said button; f. providing a first telephone

number; h. providing a database of travel information, said travel information pertaining to one or more geographic locations, said database comprising the names, addresses and phone numbers of said service providers, wherein said travel information can be selectively retrieved from said database based on the geographic location to which it pertains, and wherein said database is further operatively coupled to a computer terminal adapted to display said travel information from said database; k. providing an internet web site, wherein said web site is configured to receive information concerning said traveler's circumstances and geographic location, wherein said web site is operatively coupled to said database of travel information and configured to display said travel information; l. providing counseling services to said traveler, wherein said providing counseling services comprises receiving information regarding said traveler's geographic location and circumstances, selecting information from said database based on said traveler's geographic location and circumstances, and providing said selected information to said traveler, wherein said traveler accesses said counseling services by at least one of calling said first telephone number or by transmitting a request for said counseling services via said web site; m. wherein in response to a request from said traveler or a depression of said button of said mobile phone, a rescue service provider is dispatched to said geographic location of said traveler, whereupon said rescue services provider arrives at said location, and said traveler is transported to said rescue service provider from said geographic location to a location of greater safety; n. wherein said transportation services comprise rental car services, railroad services, rescue services, airline services, bus services, taxi services, automotive, repair services, and towing services; o. wherein said

lodging services comprise hotel services, motel services, and emergency shelter services (Abstract, C32-C34, C71-C75).

54. Delorme fails to expressly disclose providing all the services/information (weather information, traffic information, road construction information, terrorism information, legal information, and suggested vaccinations) provided in the instant invention.
55. However, Delorme does disclose providing a multitude of travel information (Abstract, Fig. 1C), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a large variety of travel information with the system in order to increase the systems effectiveness at offering relevant customer information.
56. Delorme fails to expressly disclose providing said traveler with an identification card including name and address of said traveler and a photograph of said traveler.
57. However, Delorme does disclose registering users and providing membership information on hand-held devices (C21, C37), and Official notice is given that I.D. Cards where well known at the time the invention was made, and it would have been obvious to issue users ID cards as an additional form of membership identification
58. Delorme fails to expressly disclose providing said traveler with a mobile phone.
59. However, Delorme does disclose the use of a mobile communication device (phone) with an emergency "push button," and the ability for the Trips system to determine the devices location through GPS (C71-C75), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the user with a phone that would work with the Trips system, in order to increase system customer service and ensure compatibility between the mobile device and the Trips system.

60. Delorme fails to expressly providing a voice mail system adapted to record and store messages provided by said traveler, and further adapted to play back said messages; j. providing a second phone number for accessing said messages provided by said traveler.
61. However, official notice is given that such voice mail system were well known at the time the invention was made, and would simply be a matter of the user leaving a message at their personal phone number/voice mail number, which they could check at their leisure.
62. DeLorme fails to expressly disclose providing said traveler with a password, wherein prior to said transporting of said traveler by said rescue service provider, said traveler provides said password to said rescue service provider.
63. However, Delorme does disclose an emergency response component to the Trips system (C71-C75), and the ability to make reservations for service provides - confirming reservation with a reservation confirmation code (C21).
64. Therefore, it would have been obvious to incorporate the reservation system when scheduling a emergency response call; however, such a system would be unrealistic, as a emergency response team would lawfully be required to assist in an emergency once on-site, whether the person in need had a password or not.
65. DeLorme fails to expressly disclose providing information regarding all the service providers disclosed in the instant application; however, Delorme does disclose providing service provider information to a multitude of service provider types (Abstract, Fig. 1C), and it would have been obvious to one of ordinary skill in the art at the time the invention

was made to incorporate a large variety of service providers with the system in order to increase the systems effectiveness at offering relevant customer information.

66. Finally, Delorme fails to expressly disclose providing said traveler with an emergency kit, said emergency kit comprising food and water, and providing said traveler with protective clothing adapted for use in said geographic location.
67. However, Marcon discloses protective clothing and a emergency kit to be used by travelers (abstract), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the user with a equipment that would best prepare the user for travel, in order to ensure a full travel outfitting service, wherein complete travel preparation is provided to the customer.
68. As per Claims 10, 27, 48 and 91, DeLorme and *Marcon* disclose providing said traveler with an emergency kit, said emergency kit comprising food and water.
69. As per Claims 14, 28, 52 and 92, DeLorme and Marcon disclose providing said traveler with protective clothing adapted for use in said geographic location (See rejection of independent Claims 102 and 103).
70. As per Claims 107 and 108, DeLorme and *Marcon* disclose wherein said emergency kit further comprises first aid supplies and/or at least one tool.

### ***Conclusion***

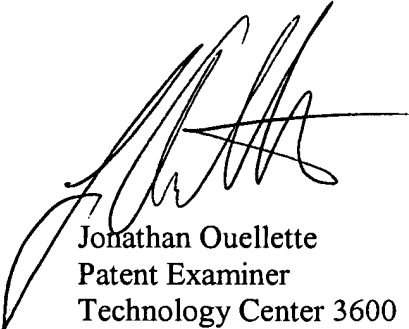
71. Additional Literature has been referenced on the attached PTO-892 form, and the Examiner suggests the applicant review these documents before submitting any amendments.



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72. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
73. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
74. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (703) 308-1202.

October 12, 2005



Jonathan Ouellette  
Patent Examiner  
Technology Center 3600